SINGLE BENCH (1)

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. NO. 866 /2006

PETITIONER : Hemnidhi Patel
S/o. Shri Suraj Charan Patel
Aged 37 years, R/o. Village Gorra, Tahsil and District Raigarh (C.G.), Halka Patwari P.C. No.15, R.I. Circle and Tah. Kharsiya, District Raigarh (C.G.).

P.R. No. 901/06
Presented by Shri B.N. Yadav
dated 13/12/06

VERSUS

RESPONDENTS :1. State of Chhattisgarh
Through : Secretary
Department of Revenue,
D.K.S. Bhawan Raipur (C.G.)

2. Sub-Divisional Officer
(Revenue)
Kharsiya, Raigarh District
Raigarh (C.G.)

3. Tahsildar
Kharsiya, Raigarh,
District Raigarh (C.G.)

RECEIVED 13.12.06 CLERK to A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(47)

आदेश पत्रक

मामला क्रमांक WP 866/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
1-3-2006	Shri Raghvendra Pradhan, counsel for the petitioner. Shri G.K. Beriwal, Dy. Advocate General for the State. Heard. The petitioner has filed this petition against the order dated 25-1-2006 passed by the respondent no. 2-Sub Divisional Officer (Revenue) Kharsiya, Raigarh whereby he has been posted at Patwari Circle No. 3, headquarter Barra. It is pointed out that the petitioner was suspended however, subsequently, the suspension has been revoked and thereafter the petitioner has been transferred to Patwari Circle No. 3. The Apex Court in the case of *Gujrat Electricity Board vs Atmaram Sungomal Poshani* reported in *(1989) 2 SCC 602* held that transfer is an incident of service and employee has no right to be posted at a particular place. Having considered the facts and circumstances of the case and material on record and since transfer is an exigency of service, in the opinion of this Court ends of justice will be served if a direction is given to the petitioner that after joining at new place of posting, he may make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within a period of two weeks from today, and on such representation being filed, the competent authority shall decide the same on its own merits in accordance with law. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P. 672/06 stands disposed of. Certified copy as per rules. Sd/- Fakhruddin Judge	

[पीछे देखिये